

**FILED**

SEP 23 2009

TERESA L. DEPPNER, CLERK  
 U.S. District Court  
 Southern District of West Virginia

UNITED STATES OF AMERICA

v.

CRIMINAL NO.

*5:09-00215*


---

 42 U.S.C. § 6928(d)(2)(A)  
 18 U.S.C. § 2

CHRISTOPHER SHAWN MILLS

**I N D I C T M E N T**

The Grand Jury Charges:

COUNT ONE

(Storage of Hazardous Waste without a Permit)

**Introduction**

At all relevant times:

1. Defendant CHRISTOPHER SHAWN MILLS and Rodney T. Hoffman, not named herein as a defendant, operated an electroplating business at various locations in Raleigh County, West Virginia.

2. Defendant CHRISTOPHER SHAWN MILLS and Rodney T. Hoffman operated the business from approximately December 2004 to approximately October 2006 on Robert C. Byrd Drive in Beckley, Raleigh County, West Virginia, after moving it from another location.

3. Defendant and Rodney T. Hoffman moved their electroplating operation from the Robert C. Byrd Drive location in approximately October 2006 to Harper Road in or near Beckley, Raleigh County, West Virginia.

4. In the course of their electroplating business, defendant CHRISTOPHER SHAWN MILLS and Rodney T. Hoffman used a variety of

materials, including acids, solvents, and heavy metals, and generated hazardous wastes at both the Robert C. Byrd Drive and Harper Road locations.

5. Defendant CHRISTOPHER SHAWN MILLS and Rodney T. Hoffman did not obtain a permit from the West Virginia Department of Environmental Protection to store hazardous waste at either location.

6. As a result of the actions of defendant CHRISTOPHER SHAWN MILLS and Rodney T. Hoffman, the United States Environmental Protection Agency conducted cleanup actions under the Superfund program to remove the hazardous wastes generated by defendant's electroplating business from the Robert C. Byrd Drive and Harper Road locations.

7. Pursuant to the Resource Conservation and Recovery Act, 42 U.S.C. §§ 6901 et seq. ("RCRA"), the United States Environmental Protection Agency ("EPA") and the states regulated various types of solid wastes classified as hazardous wastes. RCRA made it a crime for a person knowingly to treat, store or dispose of hazardous waste without a permit. 42 U.S.C. §§ 6925, 6928(d)(2)(A).

RCRA VIOLATION

8. From on or about October 2006 through on or about February 21, 2007, at a location on Robert C. Byrd Drive in Beckley, West Virginia, in the Southern District of West Virginia, defendant CHRISTOPHER SHAWN MILLS aided and abetted by Rodney T. Hoffman, knowingly stored, and caused the storage of listed or identified hazardous waste, including sulfuric acid and chromic

acid, at their business facility without a permit as required by RCRA.

In violation of Title 42, United States Code, Section 6928(d)(2)(A), and Title 18, United States Code, Section 2.

COUNT TWO

(Storage of Hazardous Waste without a Permit)

1. Paragraphs 1 through 7 of Count One are incorporated here as if fully set forth.

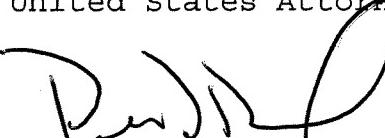
RCRA VIOLATION

2. From on or about January 2007 through on or about February 21, 2007, at a location on Harper Road in or near Beckley, West Virginia, in the Southern District of West Virginia, defendant CHRISTOPHER SHAWN MILLS aided and abetted by Rodney T. Hoffman, knowingly stored, and caused the storage of, listed or identified hazardous waste, including sulfuric acid and chromic acid, at their business facility without a permit as required by RCRA.

In violation of Title 42, United States Code, Section 6928(d)(2)(A), and Title 18, United States Code, Section 2.

CHARLES T. MILLER  
United States Attorney

By:

  
\_\_\_\_\_  
PERRY D. MCDANIEL  
Special Assistant United States Attorney